

and functions of regional government will need to be balanced with those of the urban and rural local authorities in order to avoid conflict.

B3.6 Traditional Leaders

The institution of chieftainship has played an important role in the history of our country and chiefs will continue to have an important role to play in unifying our people and performing ceremonial and other functions allocated to them by law. The powers of Chiefs shall always be exercised subject to the provisions of the constitution and other laws. Provision will be made for an appropriate structure consisting of traditional leaders to be created by law, in order to advise parliament - on matters relevant to customary law and other matters relating to the powers and functions of chiefs. Changes in the existing powers and functions of chiefs will only be made by parliament after such consultation has taken place.

B4. THE EXECUTIVE

B4.1 The ANC proposes that the Head of State be a President with both ceremonial and executive powers. The President should be elected by the National Assembly. He or she will have a fixed term of office and be available for re-election only once. The President will appoint and supervise the functioning of the cabinet, acting through and in liaison with a Prime Minister who will be directly accountable to President and responsible to the National Assembly.

B5. A BILL OF RIGHTS

B5.1 Introduction

B5.1.1 A central place in the Constitution will be occupied by a Bill of Rights. This will set out certain basic rights and freedoms as universally understood which no future government will normally be able to take away except by special majority. Basically, it will enshrine principles for which we have fought all our lives. At the heart of the Bill of Rights lies the notion of the fundamental equality of all men and women, irrespective of race, colour or creed.

B5.1.2 The Bill of Rights will guarantee that South Africa in a multi-party democracy in which people enjoy freedom of association, speech and assembly and the right to change their government. Furthermore, the public have a right to know what is being done in their name - we believe in a strong right to information and a firm guarantee regarding the free circulation of ideas and opinions.

B5.1.3 The Bill of Rights shall be binding upon the State and organs of government at all levels and where

appropriate, on social institutions and persons.

B5.1.4 The Bill of Rights will be enforced by the courts, headed by a separate newly created Constitutional Court, which will have the task of upholding the fundamental rights and freedoms of all citizens against the state or any body or person seeking to deny those rights. The judges will be independent, and will consist of men and women drawn from all sections of the community on the basis of their integrity, skills, life experience and wisdom.

B5.1.5 The Bill of Rights shall secure the rights of all persons in all spheres of life, including housing, education employment and access to facilities and such protection shall be ensured without discrimination on the ground of race or gender.

B5.1.6 The Bill of Rights must guarantee language and cultural rights.

B5.1.7 It must acknowledge the importance of religion in our country. It must respect the diversity of faiths and give guarantees of freedom of religion.

B5.1.7 The rights of the child; the duties of all citizens; environmental rights; the rights of disabled persons; and the right not to be discriminated against or subjected to harassment because of sexual orientation.

B5.1.8 The ANC is against capital punishment and will seek to have it outlawed in the Bill of Rights.

B5.2 Worker's rights

B5.2.1 Workers have fought long and hard for their right to set up independent trade unions, their right to engage in collective bargaining and their right to strike. These rights must be protected in the Bill of Rights, which should be supplemented by a Workers' Charter. This charter should set out all those rights that workers throughout the world have gained for themselves. The State will be a signatory to the International Labour Organisation (ILO) conventions. The Bill of Rights will also prohibit slave labour the exploitation of children and discrimination in the work place.

B5.3 Human rights for women

B5.3.1 Special emphasis will have to be given to the realisation of women's emancipation.

B5.3.2 Women are discriminated against and subordinated in every area of public and private life. They have inferior access to education and employment and are

shut out from decision-making at all levels of society. We in the ANC acknowledge that we still have a long way to go in remedying this state of affairs.

- 5.1.1 We support the principle of equal rights for women and men in all spheres, and the creation of special agencies to ensure that equal opportunity operates in practice.
- 5.1.4 Women should be able to walk in the streets freely without fear of assault and should be able to feel safe and free from violence in their own homes. Concepts of family privacy and the nature of the marriage vow are used to deny women legal protection against abuse in the home. While strongly supporting the inviolability of the home, the Bill of Rights should make it clear that this will not in any way deprive women of their constitutional rights to physical and moral integrity.
- 5.1.5 Guardianship should be shared between partners. Violence in personal relationships is inconsistent with recognition of the integrity of persons. Therefore rape in marriage should be outlawed.
- 5.1.6 In providing that women should be allowed to take their rightful place in every area of South African life without impediment or discrimination, the law should take account of the reality of the lives that women lead and the contribution they make to society through maternity, parenting and household work. Much of the work that women perform goes unrecognised and unpaid; the contribution of women to national income must be acknowledged.
- 5.1.7 The Bill of Rights should include mechanisms to ensure that women as well as men are assured of the ability to exercise their constitutional rights in all fields of life. The Bill of Rights should thus be supplemented by a Charter of Human Rights for Women which spells out in detail the full range of rights to which women are entitled, highlighting the range of rights which they have been blocked from exercising, and the means whereby they will be realised.

15.4 The Right to home and family

- 15.4.1 People shall be free to form families on a voluntary and equal basis. Subject to the principles of free choice and equality, appropriate legal recognition shall be given to all matrimonial unions. Single parent families shall have legal recognition and support.
- 15.4.2 The Bill of Rights should support the provision of homes, employment and utilities such as light and

water, so as to repair the damage done by apartheid and the migrant labour system, and in order to give real meaning to the right to home and family life.

B5.5 Property Rights

- B5.5.1 The property rights of the majority have been systematically ignored and violated by apartheid. A new system of just and secure property rights must be created, one which is regarded as legitimate by the whole population.
- B5.5.2 Property rights impose obligations and their exercise should not be in conflict with the public interest.
- 5.5.3 The taking of property shall only be permissible according to law and in the public interest, which shall include the achievement of the objectives of the Constitution.
- 5.5.4 Any such taking shall be subject to just compensation which shall be determined by establishing an equitable balance between the public interest and the interest of those affected and will not be based solely on the market value of such property.
- 5.5.5 In the case of a dispute regarding compensation, provision shall be made for recourse to a special independent tribunal, with an appeal to the Courts.
- 5.5.6 Legislation on economic matters shall be guided by the principle of encouraging collaboration between the public, private, co-operative, communal and small-scale family sectors with a view to reducing inequality, promoting growth and providing goods and services for the whole population.
- B5.5.7 The Bill of Rights shall establish the principles and procedures whereby land rights will be restored to those deprived of them by apartheid statutes. A Land Claims Tribunal, functioning in an equitable manner according to principles of justice laid out in legislation, will, wherever it is feasible to do so, restore such rights. In doing so, it will take into account the role of compensation to be paid by the state to those whose existing titles are affected. Provisions relating to property rights and compensation will have to be applied in such a way that they are not manipulated so as to frustrate a national land reform programme.

B5.6 Social, educational, health and welfare rights

- B5.6.1 The Bill of Rights will affirm the right of all persons to have access to basic educational, health and welfare services. It will establish principles and

mechanisms to ensure that there is an enforceable and expanding minimum floor of entitlements for all, in the areas of education, health and welfare. It will commit the courts to take into account the need to reduce malnutrition, unemployment and homelessness when making any decisions.

B5.6.2 Pensions should immediately be equalised in respect of race and gender, and all future governments should be constitutionally committed to embark upon programmes to ensure that every household has electricity, clean water and access to waste disposal.

B5.6.3 Special agencies linked to Parliament and the courts should be set up so as to ensure that national, regional and local authorities apply appropriate shares of their budgets to achieving these rights, taking into account the problems of limited resources and affordability. Removing the inequalities to which the majority of the people have been subjected, both by law and in practice, cannot be left either to paternalism or chance. We cannot have a nation if half the people live in darkness, half in light.

B6. AFFIRMATIVE ACTION

B6.1 There is strong support in this country for the idea of affirmative action, and some resistance. While taking on a variety of forms, affirmative action means special measures to enable persons discriminated against on grounds of colour, gender and disability to break into fields from which they have been excluded by past discrimination. The ANC proposes affirmative action with a view to establishing a law-governed, progressive and equitable way of ensuring advancement without on the one hand freezing present privileges or on the other going over to arbitrary compulsion. The issue has to be handled with both firmness and sensitivity.

B6.2 The constitution will make it clear that seeking to achieve substantive equal rights and opportunities for those discriminated against in the past should not be regarded as a violation of the principles of equality, non-racialism and non-sexism, but rather as their fulfilment. Unless special interventions are made, the patterns of structured advantage and disadvantage created by apartheid and patriarchy replicate themselves from generation to generation.

B6.3 We do not support giving positions to unqualified people simply on the grounds of race or gender. What we will insist on, however, is that the hundreds of thousands of highly merit-worthy persons who have been unjustifiably kept out of jobs, denied advancement in their careers and excluded from training, be given their due. Those who have been kept back by apartheid, education and by sexist

assumptions should be given special backing to catch up. The rich life experiences, knowledge of languages, and cultural diversity of those previously discriminated against should be seen as enriching the contribution of individual South Africans.

B6.4 We look to advancement taking place primarily through application of the principles of equal protection, good government and an expanding floor of minimum rights, that is, our constitution will be profoundly non-racial and non-sexist, but it will not prevent taking the realities of race and gender discrimination into account in certain specified areas and in order to meet well-defined goals when trying to achieve real equality.

B6.5 Special attention will have to be given to intensive training and the opening up of careers and advancement for those held back by past discrimination. Management in both the public and private sectors will have to be deracialised so that rapidly and progressively it comes to reflect the skills of the entire population. Equity ownership will also have to be extended so that people from all sections of the population have a stake in the economy and the power to influence economic decisions.

B6.6 Gender relations in the home have created dependency and subordination for most women in our society. The domestic division of labour has resulted in women performing a range of activities which are unacknowledged for their contribution to social production and reproduction, stability and wealth creation. This situation will be redressed through efforts to recognise unpaid work. The need to actively recognise such work is vital since it affects the nature of broader socio-economic policy formulation. In addition there needs to be a commitment to equal pay for work of equal value in various sectors of the economy.

B6.7 ANC policies favour affirmative action for disadvantaged sectors of our population. This policy will apply with equal vigour to the marginalised youth in South Africa. Special attention should be given to young women, who are affected by both apartheid and patriarchy.

B6.8 Affirmative action policies will be aimed at the full integration of youth into our society, in a meaningful and progressive way.

B6.9 Special measures are necessary to advance the interests of the most disadvantaged, especially in rural areas and all legislative and administrative bodies shall be obliged to adopt policies which shall implement this approach.

6.10 Special mechanisms will be necessary to advance and monitor affirmative action programmes.

87.11 The State shall become a party to the large number of human rights conventions and in particular those dealing with racism, gender discrimination and the rights of children, which apartheid has until now rejected. In this way we shall assert our rightful place in the international community.

87. THE PUBLIC SERVICE, DEFENCE AND POLICE

87.1 The whole of the civil service will have to be opened up so as to make it a truly South African civil service, and not the administrative arm of a racial minority. The civil service should be impartial in its functioning, and accountable both to parliament and to the broad community it serves.

87.2 There shall be a national, defence and police force and a prison service. These should all be non-racial and non-sexist in character, comprising personnel that are well-trained, disciplined, humane and loyal to the constitution. They should enjoy the full confidence of the population at large.

87.3 The ANC proposes that a full-time independent office of the Ombud should be created with wide powers to investigate complaints against members of the public service and other holders of public office and to investigate allegations of corruption, abuse of their powers, rudeness and maladministration. The ombud shall have power to provide adequate remedies. He shall be appointed by and answerable to parliament.

88. THE RULE OF LAW

88.1 All South Africans will be free to participate fully either directly or through their representatives in the law making bodies without discrimination based on race, colour, creed or religion.

88.2 The laws of the country will be there to advance and uphold the rights of everybody on an equal basis, regardless of colour, gender, language, religion or culture. There will be no part of South Africa from which the law and the Constitution will be excluded.

88.3 Those who are most vulnerable in our society should be able to invoke the constitution and law to protect themselves - whether in prison, on the farms or as domestic workers.

88.4 All South Africans shall have recourse to independent courts of law and other tribunals.

88.5 Without interfering with its independence and with a view to ensuring that justice is manifestly seen to be done in a non-racial and non-sexist way and that the wisdom, experience and competent judicial skills of all South

Africans are represented on a bench, which shall be transformed in such a way as to consist of men and women drawn from all sections of South African society.

88.6 Maximum provision should be made for the participation of laypeople in the administration of justice.

89. PERSONAL SECURITY AND CRIME

89.1 The first priority in any strategy to combat crime is to understand and address the crime producing conditions that prevail in our society. In place of ideologies and official practices that diminish the value of life or place one life above another the ANC will elevate the importance and dignity of all human beings, and commits itself to deal with the pressing needs of the majority of South Africans.

89.2 Secondly, the ANC declares that there will be no respect for the institutions that enforce law and order unless the people respect the law. This they will do if the laws are just and if they participate both in their making and enforcement. A just criminal justice system will enhance respect for the courts and obedience to the law.

89.3 Finally, the ANC believes that a prison service for the country must play its part not simply in restraining convicts but in rehabilitating convicted persons. Apartheid's overcrowded and authoritarian jails are crime factories which dehumanise their inmates, feeding a culture of violence and despair. The ANC asserts that adequate resources must be made available for the human accommodation, education, training and job placement of convicts. Failure to do so will only lead to expenditure on an ever increasing number of new jails. For this reason the ANC proposes programmes that promote reparation and compensation to the victims and service to the community in place of incarceration. The ANC is against any inhumane and cruel punishment.

810. ACCOUNTABILITY DURING THE STATE OF EMERGENCY

810.1 In the context of a Bill of Rights, the Constitution will make provision for a state of emergency to be declared when the life of the nation is threatened. Such a power will be subject to strict controls by parliament and for the first time, by the judiciary, in accordance with internationally accepted standards.

810.2 The constitution will provide for the recognition and protection as far as possible of fundamental rights during the period of emergency, including access to their legal representatives, doctor, family and the courts of law.

811. A FREE AND OPEN SOCIETY

- B11.1 The Constitution must guarantee not only that people are free to speak their minds, but that people can benefit from the free circulation of ideas and information, and be exposed to different philosophies and ways of seeing the world. The right to information must be secured, together with a free press and public media, which is controlled neither by the state nor by political parties, but by an impartial and independent broadcasting authority. There should be a commitment to the constitutional principles of non-racialism and non-sexism.
- B11.2 The Constitution is the guardian of our liberties. It should guarantee space to each and every person to live out his or her life in dignity, either alone or in association with others. Freedom of the individual, freedom of civil society and good government according to constitutional principles, go hand in hand. The struggle for freedom and justice never ends.

C. A NEW SYSTEM OF LOCAL GOVERNMENT

C1. BASIC PRINCIPLES

- C1.1 The ANC believes that there is a need for strong and effective local government to replace the racist, sexist, undemocratic, tribalist and corrupt structures which presently exist. As a result of the large disparities between local areas and regions, a strong central government is required to address the legacy of apartheid and to ensure more balanced forms of local development. Strong local government will be complemented by regional government whose primary tasks will be to ensure integrated and coordinated local development planning, the provision of appropriate regional services and to provide support to those local authorities which lack resources, particularly in the rural areas.
- C1.2 Within this framework, local government will:
- C1.2.1 Play a crucial role in building democracy in a future South Africa. Local government will bring government closer to the people and actively involve them in decision-making and planning processes which affect them;
- C1.2.2 Play a key role in development and in the equitable redistribution and re-allocation of local authority services. It will address as a priority the disparities in our cities, towns and villages which have resulted from the policies of apartheid. The promotion of the needs and interests of disadvantaged

sections of communities will therefore become a major focus of local government activities.

C2. RESTRUCTURING LOCAL GOVERNMENT

- C2.1 During the past decade, communities have waged intense struggles against apartheid local government - struggles over issues affecting their daily lives, such as housing, health, transport, water and electricity provision. There has been widespread rejection of the corrupt, financially unviable and undemocratic racial local government system.
- C2.2 The restructuring of local government is part and parcel of the dismantling of the apartheid system. No meaningful restructuring can take place at the local level unless it is part of a process of national transformation.

C3. A POLICY FRAMEWORK FOR LOCAL GOVERNMENT

- C3.1 The ANC envisages a new system of local government in South Africa which will operate within the context of the national constitutional framework. At the same time, local government will have the scope to take local initiatives, provided these do not conflict with national policy.
- C3.2 *Non-racial, non-sexist and democratic local government*
- C3.2.1 A future system of local government must not only assert non-racialism and non-sexism, but will need to actively build non-racialism and non-sexism in processes designed to counter decades of discriminatory government. The ANC is committed to ensuring that mechanisms are built into the system to enable women to participate in decision making and administrative structures at all levels of regional and local government.
- C3.2.2 All racially-based local government structures will be abolished. De-racialising local government must mean more than an equal opportunity to vote. The fragmented nature of South African cities, towns and village needs to be addressed and each city and town will be unified under a single municipality, with a single non-racial voters' roll and a single tax base. Villages, commercial farming areas and rural towns will be brought together under rural district councils.
- C3.2.3 Women must be actively brought into the decision making process. Programmes must be designed to equip women with skills to enable them to participate and have to be launched. In this regard, special attention will have to be paid to the rural areas where women are disproportionately located.
- C3.3 *Democratic and accountable local government*

- C1.1.1 Representation at the local level will be on the basis of one-person one-vote (based on permanent residence), and votes must have equal value. The ANC rejects attempts to entrench privilege at all levels denying the principle of majority rule, for example, through property-based franchise mechanisms.
- C1.1.2 Democratic local government means more than just having the right to vote in a local election. It also includes facilitating the creation of a strong, independent civil society, a high degree of accountability, transparency and the right to participate in decision making processes which affect communities between elections.
- C1.1.3 Participation and accountability are meaningless if people do not have access to information. The public disclosure of all information pertaining to any policy, decision or activity for which any local authority is responsible should be guaranteed. In particular, meetings of the local government council and of council sub-committees should in principle be open to the public.
- C1.1.4 The independent office of Ombudsperson will be created to investigate allegations of partisanship in the allocation of resources, maladministration and corruption.
- 1.4 Redressing the legacies of apartheid and redistributing resources
- 1.4.1 Apartheid, as a system of segregation, has resulted in towns and cities where the poor live furthest from work, shops and facilities and where masses of poor people are locked into rural slums. This is inequitable, inefficient and expensive.
- 1.4.2 Central government will have to play a key role in addressing the severe imbalances in resources and service provision which exist between urban and rural areas and between different regions. In particular, national minimum standards for service provision will have to be set.
- 1.4.3 The ANC believes that local government must play a key role in addressing the imbalances within local areas, inter alia through effective urban and rural planning, the generation of employment opportunities, the provision of facilities, housing opportunities and services in accessible locations, and efficient, affordable public infrastructure.
- 1.4.4 The ANC is opposed to privatisation of essential municipal services.

C1.5 Effective and efficient local government

- C1.5.1 Apartheid has left a legacy of fragmented local authorities and bureaucracies characterised by corruption, nepotism and inefficiencies. The ANC is committed to an accountable and mandated system of representative local government.
- C1.5.2 Local government must have access to sufficient resources to carry out its stated functions. Local government should operate so as to ensure that resources are used efficiently.
- C1.6 Local government and development
- C1.6.1 Local government must be developmental in character.
- C1.6.2 Local government should actively promote the processes of sustainable and participatory community development. Local government should address unemployment and poverty through local economic development and promotion of informal sector activities. In particular, local government should take steps to protect the interests of the poor through appropriate forms of tenure, housing and access to employment opportunities.

C4. POLICY ISSUES

C4.1 Boundaries

- C4.1.1 The boundaries of local authorities will be re-drawn on a functional basis thereby incorporating its industrial area and artificially created bantustan and commuter towns. In order to avoid local gerrymandering, boundaries will be re-drawn by a national delimitation commission, after taking into consideration local submissions. The national legislature shall have the final say over the demarcation of local authority boundaries.

C4.2 Powers and functions of local government

- C4.2.1 The ANC believes that future powers and functions of local government cannot be determined in isolation from a consideration of the powers and functions of regional and national government. The allocation of functions and powers should be determined by national legislation, as they should change over time.
- C4.2.2 A useful point of departure for the allocation of functions to the local tier is provided by the existing powers of local government - planning and growth management, land use control, implementation of housing projects, the provision of services (water, electricity, sewerage, refuse removal), health care,

education, roads and public transport, parks, community facilities (including recreation and sport) and environmental protection. Furthermore, it is essential that future local government has a specific responsibility for encouraging local commercial, industrial and agricultural economic development within regional and national frameworks. In view of the circumstances, it may be necessary for rural local governments to have slightly different powers and functions to urban local government.

C4.3 Finance

- C4.3.1 The ANC believes that national government has a duty to ensure that conditions are created to meet the basic needs of the population. This will be achieved partly by a fairer, progressive and more efficient system of taxation and government spending.
- C4.3.2 Local government should be able to raise revenue for the implementation of its policies, assisted by higher levels of government where appropriate. The existing system of local government financing, where the poorest areas are expected to pay for all their own services while the rich areas share that burden with business, must end. All areas which are functionally linked should form a single tax base. The metropolitan level should be the focus of revenue collection in metropolitan areas. National government will have to exercise some control over the nature and extent of local government taxation and borrowing in order to ensure efficiency and balance in the overall fiscal system. Borrowing which compromises the long term autonomy of local authorities or the country as a whole must be avoided.
- C4.3.3 Service charges should be affordable. They should not be set in such a way that the burden of extending services to areas deprived by apartheid falls mainly on those areas. To combat poverty, subsidisation of essential services for those who cannot afford to pay, will be necessary. It will be the responsibility of local government to ensure the provision and maintenance of all services according to acceptable standards.
- C4.3.4 Tax resources must be distributed appropriately between each level of government and between different authorities on each level. Because of regional inequality and the nature of taxes collected, this will require the transfer of resources from higher to lower levels of government. New institutions will have to be developed to ensure this happens efficiently and democratically, preventing unwarranted interference in the autonomy of each level of government.

- C4.3.5 New institutions will be developed to improve efficiency, transparency and accountability in government spending.

C4.4 Local government structures

- C4.4.1 "One city, one municipality"
To overcome the legacy of apartheid, the ANC envisages that each city and town will be unified under a single municipality. Where commuter suburbs are far removed from the city, consideration will be given to a two-tier system of local government. This will ensure that local needs are addressed, without excluding these areas from the benefits of being part of the city.
- C4.4.2 Strong metropolitan government
i) The key issues facing our cities - disparities in services provision, rapid urban growth, the housing crisis and inefficient apartheid city structure - cannot be effectively addressed by lower-tier authorities, whose focus is too local.
ii) The ANC believes that the metropolitan tier would be an appropriate tier to address these issues. This tier will control the primary sources of urban finance, and be responsible for allocating funds for development and services. It will co-ordinate the provision of city-wide services and allow democratic control over broader development decisions. It will set the policy framework for that metropolitan area, within which the lower tier(s) would operate.
- C4.4.3 Effective rural local government
South Africa's rural areas differ in important respects from urban areas. The ANC believes that it is therefore appropriate to create District Councils within rural areas. This will enable rural communities to develop their own responses to the particular development challenges that they face. In partnership with central and regional government, these councils will be responsible for coordinating development and servicing of rural areas.

In order to increase community participation and involvement in District Council decisions and activities, it may be necessary to institute development structures at a village or ward level which would fall under the District Council.
- C4.5 Civil society
- C4.5.1 The ANC believes that all legislative and executive power at the local level must be constitutionally

vested in elected structures. In order to deepen democracy and ensure grassroots participation in the organs of government, the ANC believes that all organs of civil society, such as civic/residents associations, trade unions, traditional leaders, business organizations, cultural organisations, women's organisations, religious groups, and other interest groups, need to be given the scope to influence the process of government.

4.5.2 This can be achieved firstly by creating advisory and consultative mechanisms such as:

- a) People's assemblies to debate issues of major significance to that town, city or rural area;
- b) Local government sub-committees with outside representation to consult on specific policy areas;
- c) Local government commissions to conduct public hearings and to consider submissions from outside interests on proposed local government activities; and,

4.5.3 Secondly, local government will have the right to negotiate the delegation of certain powers to particular bodies involving organs of civil society.

4.5.4 Besides giving scope to the involvement of civil society, the ANC envisages that local government will play an active role in promoting institutions of civil society, particularly associations representing the interests of disadvantaged sections of society. This could be done by giving support and resources to such organisations.

4.6 Staffing and training

4.6.1 Local government bureaucracies have operated as highly hierarchical, centralised structures. This has meant that enormous power and skill has been concentrated in senior bureaucrats. It has also meant that the knowledge and experience of lower level officials has not been duly taken into consideration when managerial and administrative policies are made or implemented. The ANC is committed to the administration of local government on the basis of participative management and to reorganise the bureaucracy accordingly.

4.6.2 Local government staff will have to be properly trained, if they are to deal effectively with the development and government challenges facing them. This will require a nationally coordinated training effort. Such training will also have to address the question of affirmative action within these bureaucracies. In addition, training should include

capacity building in communities to enable them to effectively participate in local structures and policy development processes.

C4.6.3 The present system of remuneration of local government officials is affected by the grading of a municipality and this leads to a draining of skilled personnel away from smaller localities. It also allows for the rampant exploitation of lower level staff. The ANC is committed to a more equitable system, in which all employees are paid a living wage and which encourages skilled staff to stay in deprived areas.

C4.6.4 Local government structures will adopt progressive employment practices.

C5. REGIONAL GOVERNMENT

C5.1 The ANC believes that the constitution should provide for the creation of central, regional and local government (a three-tier system of government). Each tier of government should have powers functions and duties listed in legislation.

C5.2 The delimitation of regional and local boundaries, and powers and function of regional and local government, should be decided by an elected constituent assembly

C5.3 Powers of sub-national government should be harmonised with the powers of central government, bearing in mind that in case of conflict the constitution and national legislation should prevail. In essence regional government would have to function broadly within the framework of national policy. Regional government should not be able to contradict national policy as expressed in the laws of the country, but should influence the shaping of these policies and play a significant role in developing mechanism for implementation.

C5.4 The ANC believes that regional government should have powers to co-ordinate and plan development, and to co-ordinate the activities of both national government departments (such as health, education, roads etc) and local authorities (such as urban councils, district councils and metropolitan government) within the region. The powers and functions of regional government will need to be balanced with those of the urban and rural local authorities in order to avoid conflict.

D. ECONOMIC POLICY

D1. A GROWTH AND DEVELOPMENT PATH FOR A DEMOCRATIC SOUTH AFRICA

- D1.1 The central goal of ANC economic policy is to create a strong, dynamic and balanced economy that will be directed towards:
- D1.1.1 Eliminating the poverty and the extreme inequalities generated by the apartheid system;
 - D1.1.2 Democratizing the economy and empowering the historically oppressed;
 - D1.1.3 Creating productive employment opportunities at a living wage for all South Africans;
 - D1.1.4 Initiating growth and development to improve the quality of life for all South Africans, but especially for the poor;
 - D1.1.5 Developing a prosperous and balanced regional economy in Southern Africa based on the principles of equity and mutual benefit;
 - D1.1.6 Giving due regard to the environmental impact of the implementation of economic policy.
- D1.2 In order to achieve these objectives, the ANC proposes a national economic strategy with two principal components:
- D1.2.1 Redistribution programmes to meet the basic needs of our people. A priority in this regard will be the provision of basic services, affordable housing and infrastructure. In addition, legal, practical and psychological barriers created by apartheid and patriarchy will be broken down, so as to open up the economy to give opportunities to those who have historically been excluded.
 - D1.2.2 The restructuring of the South African economy on the basis of new, comprehensive and sustainable growth and development strategies in all sectors of the economy.
- D1.3 The democratic state will have ultimate responsibility - in cooperation with the trade union movement, business and other organs of civil society - for coordinating, planning and guiding the development of the economy towards a sustainable economic growth pattern. Emphasis will be placed on macroeconomic balance, including price stability and balance of payments equilibrium. The policy setting will be characterised by the principles of transparency, consistency, predictability and accountability.
- D1.4 We envisage that such a developmental state will, in consultation with the organs of civil society, especially at local level, have primary responsibility for responding

to the basic needs of the population in the areas of health care, education and basic social security. In addition, it will be responsible for the provision of infrastructure in the form of roads, dams, telecommunication, transport and power stations, as well as for the furnishing of utilities such as water, electricity and waste disposal services, in ways that empower community-based organisations.

- D1.5 We envisage a dynamic private sector, employing the skills and acumen of all South Africans, making a major contribution to the provision of good quality, attractive and competitively priced goods and services for all South Africans. Small business activities, which contribute significantly to job creation, should be actively encouraged by a democratic state. Special attention will have to be given to the informal sector, small and medium-sized businesses, cooperatives, family and village economic activity and generally to the encouragement of development in poor and depressed areas.
- D1.6 In the context of the growth and development strategy, the state should respond to the needs of the national economy in a flexible way. The primary question in this regard is not the legal form that state involvement in economic activity might take at any point, but whether such actions will strengthen the ability of the economy to respond to the massive inequalities in the country, relieve the material hardship of the majority of the people, and stimulate economic growth and competitiveness.
- D1.7 In this context, the balance of the evidence will guide the decision for or against various economic-policy measures. Such flexibility means assessing the balance of the evidence in restructuring the public sector to carry out national goals. The democratic state will therefore consider:
 - D1.7.1 Increasing the public sector in strategic areas through, for example, nationalisation, purchasing a shareholding in companies, establishing new public corporations or joint ventures with the private sector; and
 - D1.7.2 Reducing the public sector in certain areas in ways that will enhance efficiency, advance affirmative action and empower the historically disadvantaged, while ensuring the protection of both consumers and the rights and employment of workers.
- D1.8 Such a Mixed Economy will foster a new and constructive relationship between the people, the state, the trade union movement, the private sector and the market.
- D1.9 Racism and sexism are present in all areas of economic activity in South Africa. The ANC will ensure that all aspects of economic policy address this situation and

transform it in accordance with democratic principles of non-racialism, non-sexism and the equality of all South African citizens. To this end, affirmative action will be introduced in all areas of the economy in order to redress imbalances arising from the limitations on the opportunities of black people and women.

1.10 Economic planning will take into account the contribution that unpaid labour makes to the creation of wealth. The ANC will progressively introduce an additional set of national accounts, reflecting the value of unpaid labour.

12. ANTI-TRUST, ANTI-MONOPOLY AND MERGERS POLICY

12.1 The concentration of economic power in the hands of a few conglomerates has been detrimental to balanced economic development in South Africa. The ANC is not opposed to large firms as such. However, the ANC will introduce anti-monopoly, anti-trust and mergers policies in accordance with international norms and practices, to curb monopolies, continued domination of the economy by a minority within the white minority and promote greater efficiency in the private sector.

13. FISCAL AND MONETARY POLICY

1.1 The ANC will redirect government expenditure on housing infrastructure education, health and social welfare, to ensure equality for all South Africans, especially rural people. To this end we will coordinate fiscal, monetary and exchange rate policy so as to provide a stable macroeconomic framework and foster sustainable growth.

1.2 The ANC will encourage transparency and accountability in the fiscal management of the democratic state. To this end, it will ensure that, in a democratic South Africa:

1.2.1 The budget fits into an overall development plan based on consultation with all affected groups, including trade unions, consumers, civic associations and business;

1.2.2 The budget establishes concrete targets for each area of expenditure, in line with the national development strategy;

1.2.3 There is on-going monitoring and evaluation of budget performance against these targets.

1.3 A representative fiscal commission will investigate the necessary changes in the whole fiscal regime. The ANC supports a progressive tax system. To this end we will seek ways to reduce tax avoidance and evasion. We will also end indirect taxation on basic foodstuffs, health care and basic household services.

D1.4 The democratic state will exercise fiscal discipline in order to avoid inflation.

D1.5 The ANC will introduce strict mechanisms to monitor and regulate the foreign debt of both the public and private sectors.

D4. FINANCIAL INSTITUTIONS

D4.1 The democratic state will ensure that financial institutions in both the public and private sector participate fully in the proposed new path of growth and development. In particular, their activities should help transform social power relationships and build institutional capacity in the historically oppressed communities in order to break the cycle of dependency.

D4.2 The democratic state will introduce mechanisms to encourage private-sector financial institutions to channel resources into productive investment, the development of the basic-needs sector, and to end discrimination in lending against blacks, women, and informal-sector or very small-scale producers.

D4.3 The democratic state will encourage the creation of community-based financial institutions managed and controlled by the historically oppressed communities.

D4.4 Relationships with international finance institutions such as the World Bank and the International Monetary Fund will be conducted in such a way as to protect the integrity of domestic policy formulation and promote the interests of the South African population and the economy. Above all, we must pursue policies that enhance national self-sufficiency and enable us to reduce dependence on international financial institutions.

D4.5 Further, we will introduce measures to ensure that foreign, non-governmental aid supports the national development strategy.

D5. LABOUR MARKET POLICY

D5.1 The ANC is committed to full participation in the International Labour Organisation (ILO) and will adopt and implement ILO conventions and appropriate recommendations. This adherence will form the base for a stable, equitable and effective collective bargaining system.

D5.2 Within its growth and development strategy, the ANC will develop active policies in the labour market in order to ensure the following:

D5.2.1 Employment creation and public works programmes

D5.2.2 Fair and equitable employment opportunities, with

legislation against discrimination in employment practices

D5.2.3 Affirmative action programmes to address racial, gender and rural-urban imbalances

D5.2.4 Training, retraining and human resources development.

D6. RURAL DEVELOPMENT

D6.1 Apartheid has shaped and distorted the economies of South Africa's rural areas in ways that seriously disadvantage black communities through unemployment and landlessness. It is therefore vital that a democratic state establish a rural development policy to redress these distortions and create opportunities for rural people through balanced and sustainable development.

D6.2 Rural development forms an essential component of the ANC's programmes for redistribution and growth. To redress the current imbalances in the provision of social services and physical infrastructure requires affirmative action in the allocation of resources.

D6.3 The rural development policy will give emphasis to generating a viable, productive rural economy through activities such as agro-industry. Sustainable job creation programmes will incorporate the provision of infrastructure and skills to enhance the productive capacity of these areas as well as raise the standard of living of the people. These programmes should focus on economically viable localities, but benefit all people in rural areas, especially women.

D6.4 The ANC will initiate wide-ranging consultation and coordinated research to develop a comprehensive rural development programme. Such a programme will integrate the relevant sectors of ANC policy, including for instance aspects of ANC policy on land, local government, environment and agriculture.

D7. INDUSTRIAL POLICY

D7.1 Industrial policy will be aimed, in the first instance, at producing quality goods and services to meet the basic needs of our people at affordable prices, creating jobs and increasing local processing and manufacturing of our raw materials.

D7.2 Industrial restructuring will be promoted in accordance with the needs of our economy and international demands and patterns. The ANC will pursue a balanced policy of industrialisation capable of overcoming the regional inequalities and imbalances of the apartheid period, including the unmanageable concentration of economic activities and population, in a few metropolitan areas.

D7.3 The detail of our industrial policy will emerge from in depth research and the broadest possible consultation, especially with those communities and organisations most directly affected, within the context of overall economic and environmental protection policies.

D8. TRADE AND FOREIGN INVESTMENT

D8.1 As part of the overall industrial policy, trade policy will aim at raising the level of productivity and improving the competitiveness of domestic and Southern African producers. In this context, we will take a differentiated approach towards trade barriers. In particular, tariffs may, in conjunction with performance requirements, enable domestic and regional producers to develop new branches of production. Trade barriers will be adjusted, within an agreed framework, to prevent the destruction of domestic and regional producers, the loss of jobs, and the exploitation of Southern African consumers.

D8.2 Trade policy will be closely linked to the overall economic policy of the ANC, including monetary and industrial policies. A democratic South Africa will participate in international institutions governing multilateral trading arrangements. In this context, South Africa will cooperate with other developing countries to protect and advance our mutual interests.

D8.3 In a democratic South Africa, the ANC will welcome foreign investment, in accordance with our objectives for growth and development, and will adopt an open approach to the entry of foreign investment. The most important way to promote foreign investment is to establish a climate of political stability, economic growth, and transparent, consistent economic policies.

D8.4 The principle of national treatment will apply to foreign investors. They would enjoy the same treatment as domestic investors, and would be obliged to abide by South African laws.

D8.5 Subject to regulations administered by the South African Reserve Bank, foreign investors will have access to foreign exchange for the purpose of remitting after-tax profits and debt service on approved foreign loans, purchasing inputs, and repatriating the proceeds on the sale of assets.

D8.6 Departures from national treatment may include limitations on domestic borrowing or on foreign ownership in strategic areas such as land and natural resources. Foreign investments that meet defined national growth and development objectives may enjoy specific contractual arrangements.

D8.7 The ANC will ensure that investments abroad by South African companies function, not as capital flight, but to

boost our competitiveness and benefit the entire economy.

09. MINING AND ENERGY POLICY

- 09.1 The mineral wealth beneath the soil is the national heritage of all South Africans, including future generations. As a diminishing resource it should be used with due regard to socio-economic needs and environmental conservation. The ANC will, in consultation with unions and employers, introduce a mining strategy which will involve the introduction of a new system of taxation, financing, mineral rights and leasing. The strategy will require the normalisation of miners' living and working conditions, with full trade union rights and an end to private security forces on the mines. In addition, the strategy will, where appropriate, involve public ownership and joint ventures.
- 09.2 Policies will be developed to integrate the mining industry with other sectors of the economy by encouraging mineral beneficiation and the creation of a world class mining and mineral processing capital goods industry.
- 09.3 To improve the quality of life of our people, stimulate the economy and reduce pollution levels, the ANC will launch a national electrification programme. We will investigate the appropriate regulatory framework, structure and operation of major energy parastatals such as Eskom, the Atomic Energy Corporation, Sasol and Mossgas, with a view to re-orientating them towards national economic and development goals that are protective of the environment.

10. FISHING

- 10.1 Marine resources along the South African coastline form a substantial fishing industry. In the development of this industry, however, access to the resource was removed from many traditional fishing communities. Moreover, although current management strategies - which are based on a mix of limits on catch and limits on access - have shown an improvement over past strategies, there are indications that some stocks are still being over-exploited, particularly by foreign fleets.
- 10.2 Accordingly, the ANC favours restructuring the fishing industry by moving away from large fishing conglomerates to smaller, community-based fisheries. Management of stocks on a sustainable yield basis will be continued and improved. This could be done through the introduction of a more conservative, and longer-term quota allocation system which would impart a greater measure of stability to the industry. The development of additional fish stocks, and the mariculture industry - within environmental constraints - will also be encouraged.

011. REGIONAL COOPERATION IN AFRICA AND SOUTHERN AFRICA

- 011.1 South Africa is part and parcel of the African continent in general and Southern Africa in particular. As such, the ANC will continue to work for the aims and objectives of the Organisation of African Unity (OAU), the Southern African Development Coordination Conference (SADCC) and the Preferential Trade Area for Southern and Eastern Africa (PTA) in achieving the economic integration of the continent.
- 011.2 Trends in the world economy make it essential for countries located outside of the major trading blocks of the advanced industrialised countries to forge greater cooperation. An ANC government will seek to actively promote economic cooperation in Southern Africa in ways that will correct existing imbalances and promote non-exploitative relationships.

E. THE LAND

E1. LAND AND AGRICULTURAL POLICY

- E1.1 Dispossession and denial of rights to land have resulted in the present unequal division of land and landlessness, which will require legislative intervention far beyond the mere repeal of apartheid land laws. Our policies must provide access to land both as a productive resource and to ensure that all our citizens have a secure place to live. The crippling impact of past policies demands the urgent implementation of a national programme of land reform and redistribution. At the same time, we must take account of the need to maintain food supplies and to provide equitable and orderly procedures so as to ensure that the transition is as smooth as possible.
- E1.2 It is the ANC's view that the legacy of forced removals and dispossession must be addressed as a fundamental point of departure to any future land policy for our country. Effective measures to ensure that landless people gain access to land on fair terms, and a legal process to resolve competing claims to land will be introduced by an ANC government as a matter of priority.
- E1.3 The development of a productive agricultural sector and a viable rural economy is necessary for economic growth and the well-being of all South Africans. The productive potential of the land and the people living on it should be effectively harnessed, for the benefit of the entire nation. Our agricultural land should be treated as a fragile and precious resource base which belongs to future generations, and our policies will ensure its enrichment,

protection, and its productive utilisation as a foundation for food production.

E2. RESTORING LAND RIGHTS, LAND REFORM AND REDISTRIBUTION

E2.1 Our approach to land issues must be placed in the context of our overall developmental strategy addressing problems of poverty, malnutrition, landlessness and unemployment.

E2.1.1 Our approach must ensure that the homeless and landless will have access to land, shelter and necessary services for family security.

E2.1.2 A priority in the programme is the need to address demands and grievances concerning land restoration and land rights including ownership, by the creation of a land claims court through which competing claims to land can be resolved. This land claims court must be affordable and accessible. The state shall provide necessary financial assistance for those with limited means.

E2.1.3 The programme will include a policy of affirmative action within a viable and sustainable economic development programme. The major beneficiaries of affirmative action should be the landless, rural poor and women who have been deprived of rights to land through patriarchal systems of land allocation and tenure.

E2.2 Redistribution of land

E2.2.1 The present pattern of land ownership which is the direct result of apartheid laws must be fundamentally changed to address landlessness and land hunger. The programme of redistribution of agricultural land must be accompanied by measures which will ensure that the land will be productively used. These must include the provision of adequate infrastructure as well as training and appropriate extension work.

E2.2.2 The state will play a key role in the acquisition and allocation of land and should therefore have the power to acquire land in a variety of ways, including expropriation in accordance with the provisions set out in the Bill of Rights. In addition, the state will use policy instruments, eg, land taxes, which, if correctly applied, could have the effect of land being freed for redistribution. The Subdivision of Agricultural Land Act of 1970 must be reviewed in order to make land available to small farmers. But measures must be taken to prevent land speculation.

E2.2.3 Immediate attention shall be given to legislation imposing a ceiling on landownership and multiple ownership of farms, as in the case where one owner has

many farms.

E2.2.4 Provision shall be made for the restoration of land rights and land to victims of forced removal.

E2.2.5 Vacant, unused and underutilised state land suitable for residential and agricultural purposes shall be made available for redistribution.

E2.2.6 Other land to be made available for redistribution in the towns, countryside and bantustans should include:

- Land held for speculation
- Underutilised land or unused land with a productive potential
- Land which is being degraded
- Hopelessly indebted land
- Land acquired through nepotism and corruption. In regard to this, persons who have benefitted from corrupt and illegal transfers of land and interests in land, or from corrupt and illegal investment in, or development of land, shall be required to account for such benefits and make appropriate restitution.

E2.2.7 The state shall have the right to acquire land, bearing in mind that it is a fundamental social resource, to be made available to those most in need.

E2.3 Access and rights to land

E2.3.1 All South Africans are entitled to equitable access to land and shelter. In order to achieve the realisation of this entitlement, an equitable balance shall be established between the legitimate interests of the holders of rights to land, and the legitimate needs of those without land and shelter.

E2.3.2 The ownership, occupation and use of land carries with it both rights and duties. Land holders will be required by law to respect the human rights of people living on the land, the need for productive use of the land, and the need for the protection of land as a productive asset for the country as a whole. In short, the ANC affirms that land holders rights will be subject to the residual interest of the South African people, present and future, in the proper use of this precious and finite asset.

E2.3.3 Subject to D2.9.1, the diversity of tenure forms in our country, including public land ownership (held by community land trusts for urban residential purposes and rural productive purposes) and strengthened tenancy rights, shall be recognised and protected.

E2.3.4 Attention must be paid to the needs individuals to acquire title deeds to residential land they already

occupy, providing this does not prejudice the rights of others.

- E2.4.5 Diverse forms of tenure should not prejudice the ability of people to have access to credit.

E2.4 Restructuring Agriculture

- E2.4.1 The agricultural sector is characterised by gross maldistribution of land and other resources in favour of white farmers. The agricultural sector is in crisis with debt levels of white farmers rising to R18 billion. There is a productive core of 30% of white farmers who produce 80% of marketed output. This has led to inappropriate agricultural practices, inefficiency and dependence on state subsidies. The agricultural sector will be restructured so as to serve the majority of South Africa's people and to contribute effectively to economic growth.
- E2.4.2 The current system of subsidies has intensified the concentration of land ownership in the hands of the few and led to inappropriate and unsustainable agricultural practices. State subsidies should be used to stabilise new farmers and must promote efficient and sustainable agricultural production systems.
- E2.4.3 The restructuring of agriculture should facilitate a move away from the exclusive reliance on large-scale single crop agriculture, to a more diversified combination of agricultural production systems, including family farms, small scale farms and co-operative farming systems.
- E2.4.4 The extension of credit, appropriate infrastructure, training extension and marketing facilities and other services to black and women farmers previously denied access to these resources, is necessary.
- E2.4.5 The unrestricted expansion of forestry, sugar, tobacco and other mono-culture production systems on high potential agricultural land needs to be reviewed.
- E2.4.6 Farmers associations on a non-racial and non-sexist basis shall be encouraged to advance the interests of all farmers in the context of the national programme of land reform and redistribution.
- E2.4.7 The present system of regulatory mechanisms, agricultural control boards and the operations of parastatals will be reviewed and amended.
- E2.4.8 The hidden monopolies and controls that exist in agriculture by virtue of the control linkages between agricultural credit, marketing, commercial co-

operatives, the Land Bank and the SAAU, must be broken up to enable new farmers to enter the sector.

E2.5 JUDICIAL PROCEDURES FOR LAND CLAIMS

- E2.5.1 We envisage the creation of an independent, non-racial, non-sexist and representative Land Claims Court to preside over and make the necessary adjudications with regard to claims to land. The law will lay down clear criteria for land claims. Priority will be given to victims of forced removal who, wherever possible, should get land back taken from them by the apartheid state. Former labour tenants and share croppers, and their families, who have had a long association with particular pieces of land, should have protected rights of occupation and use. No one will be evicted from land or have his or her home destroyed, unless a tribunal of another court has considered the availability of alternative accommodation.
- E2.5.2 Support services need to be established to inform communities of their constitutional rights, and as conduits of access to the legal system and legal counsel.
- E2.5.3 The Land Claims Court will focus on the question of land rights.
- #### E2.6 Compensation
- E2.6.1 The land question is a question that affects not just landholders and the landless, but the whole nation. All South Africans have a responsibility to share the burden of solving it. While the market has some role to play, it will barely touch the problem. The very discrimination which forced the people off the land, has deprived them of the capacity to buy the land back. The market could even aggravate present inequalities.
- E2.6.2 In establishing an equitable balance between the legitimate interests of present title holders and the legitimate needs of those without land and shelter, compensation by the state in the national interest will have an important role to play. It will be unjust to place the whole burden of the costs of transformation on the shoulders either of the present generation of title holders or on the new generation of owners. The state therefore must shoulder the burden of compensating expropriated title holders where necessary and subject to the provisions in the Bill of Rights. At the same time attention must be given to ensuring that appropriate compensation or other acknowledgement of injury done, shall be given to victims of forced removals or other forms of

dispossession.

E2.7 Rural local government and development institutions

E2.7.1 The present systems of rural administration are undemocratic and ineffective creations of the apartheid state. They will be replaced by democratic forms of local government formulated in close consultation with rural communities and based on principles of democracy, transparency and accountability as established in the national constitution. Women shall have full and equal rights of participation in these processes. Governmental, non-governmental and community based organisations will have a key role to play in the process of land reform and rural development.

E2.7.2 Special programmes shall be undertaken to promote infrastructural development in the rural areas, including roads, postal services, telecommunications, electricity, sanitation and water supplies, housing, education, health and recreational facilities. Economic advancement shall be promoted by the extension of training, the provision of credit, the provision of marketing infrastructure, the establishment of seed-banks in appropriate areas and the establishment of agricultural product processing facilities.

E2.8 Protection of farmworker rights

E2.8.1 Those who work and dwell in the rural areas, especially farm workers and women, are particularly vulnerable in our society. They and their families will be guaranteed full rights and protection under relevant labour legislation. The state will actively promote the protection of human rights for all rural dwellers and shall ensure effective enforcement of legislation protecting rural workers. In particular legislation shall secure the right to advancement of farmworkers with special attention to the rapid extension to them of education, health and recreation rights, rights to secure decent housing and rights to move freely and receive visitors. The state shall take the necessary steps to accommodate and encourage the independent organisation of rural workers.

E2.9 The position of women

E2.9.1 The patriarchal system of law and land rights has deprived women of independent access to land and control over the product of their labour. This must be addressed by ensuring that women have the same rights as men in regard to all land related issues and must be given special assistance to realize these rights. The land claims court should be empowered to consider

the claims of women who are or were excluded from land ownership and entitlement by law, custom or practice.

E2.10 Urban land policy

E2.10.1 The existing shortage of housing and serviced residential land in urban areas is a product of apartheid policies, and will be addressed. The spatial geography of apartheid will be fundamentally changed. Serviced land for housing will be made available to those who need it, close to towns and cities and to places of work. Urban resources and services will be equitably shared amongst all who live and work in the towns and cities.

E2.11 Nature Conservation

E2.11.1 Land is a natural and national resource to be used in an appropriate and sustainable manner. Declared nature conservation areas will be respected as part of the nation's common wealth. Wild life management and exploitation should constitute an important component of rural development. Emphasis will be placed on integrated conservation and co-management between communities and relevant local authorities in the development of these resources. Communities will be assisted to achieve rational management and exploitation of wild life resources, particularly in those areas where sustainable utilization is viable. Communities will be consulted before nature conservation programmes are introduced, and people must benefit directly from the economic activities and income generated.

F. THE ENVIRONMENT

F1. BROAD POLICY STATEMENT

F1.1 The ANC believes that all citizens of South Africa at present and in future, have the right to a safe and healthy environment, and to a life of well-being. Accordingly, the broad objectives of our environmental policy are aimed at fulfilling this right. In this context, growth and development within South Africa must be based on the criteria of sustainability.

F2. GUIDING PRINCIPLES

F2.1 The ANC is committed to bringing about these conditions through appropriate policy measures in all growth and development sectors. In line with this our guiding principles are:

- 2.1.1 Sustainable Development;
- 2.1.2 Equitable access to environmental resources;
- 2.1.3 Public participation in all planning decisions which affect the development and management of natural resources;
- 2.1.4 Public right of access to information and the courts on issues of environmental concern;
- 2.1.5 An integrated approach to environmental issues that relates to all sectors of society;
- 2.1.6 Recognition of the integrated nature of the global environment and the need for international cooperation in policy making.

3. POLICY OBJECTIVES

- 3.1 The ANC's policy objective is to develop a framework aimed at creating conditions conducive to sustainable development. This requires that a future growth strategy is compatible with ecological and human rights principles, and that growth is geared towards the provision of basic needs to benefit the whole community, and is not seen as an end in itself.
 - 3.1.1 An affirmative action programme will be pursued within a viable economic development programme to ensure that all South Africans have access to the natural resources required to satisfy their basic needs and to restore traditional access to natural resources within ecological constraints.
 - 3.1.2 A bias towards development of appropriate environmental awareness programmes for all sectors of our society would reinforce harmonious and traditional links with the environment, and would ultimately empower people to participate in the planning, development and management of resources.
 - 3.1.3 The ANC will establish a legislative and administrative system to ensure effective environmental management. This should be supported by the right of the public to access to the courts. Such a system will embrace a holistic approach, and will encourage trade unions, environmental organisations, and communities to play an active role in ensuring environmental protection in the public interest. It will also make use of environmental auditing, with provision for public disclosure, to monitor the activities of industry.
 - 3.1.4 Policies and programmes to ensure adequate protection, conservation and restoration of the environment will

be adopted. These will include:

- F3.1.4.1 The integration of environmental principles into planning and development using Integrated Environmental Management procedures;
- F3.1.4.2 The rehabilitation and maintenance of ecological processes and life support systems;
- F3.1.4.3 The sustainable utilisation of renewable resources and rational exploitation of non-renewable resources;
- F3.1.4.4 The conservation of biological diversity and protection of endangered species;
- F3.1.4.5 The introduction of legislative controls aimed at maximizing the benefits while minimizing detrimental effects of alien species;
- F3.1.4.6 The establishment of mechanisms to ensure safe and healthy living and working environments with acceptable levels of noise and other forms of pollution. Where damage to the environment and the health of our people has occurred, those responsible will be held accountable;
- F3.1.4.7 A hierarchical system of waste management with the emphasis on pollution prevention and the precautionary principle.
- F3.1.5 The alignment with and participation in international and regional initiatives aimed at protecting the global environment.
- F3.1.6 The prohibition of the import and export of all forms of hazardous waste.
- F3.1.7 The redistribution of land must take into account measures which will ensure it will be used in an appropriate and sustainable manner.
- F3.1.8 To ensure that other policy sectors incorporate the principles embodied in the environmental policy thus assuring the sustainability of development in a democratic South Africa.

G. HOUSING

G1. THE LEGACY OF APARTHEID

- G1.1 The housing problems created by apartheid are many and

varied. They include the racial fragmentation of our cities and the high correlation between housing poverty and race. A high proportion of the population has poor access to basic services such as water, sanitation, refuse removal and electricity and there is a severe shortage of decent, safe and affordable housing. Much of the housing available to the poor is located in monotonous townships and under serviced informal settlements far from places of work, and poorly provided with community facilities, shops, affordable public transport and recreational facilities.

G1.2 The migrant labour system and the single sex hostels have further contributed to the disruption of family life and social cohesion.

G1.3 Apartheid's complex, racially fragmented and inconsistent system of administration and housing delivery has made it difficult to introduce a coherent national housing policy and created gross inequalities between and within race groups with respect to the subsidisation and provision of housing. The apartheid housing policy has focused on the housing needs of middle income households at the expense of the disadvantaged.

G1.4 The provision of housing under the Apartheid regime has doubly discriminated against women, with regard to the allocation, systems of tenure and all the institutions controlling housing.

G2. HOUSING GOALS AND POINTS OF DEPARTURE

The principles underlying the ANC's housing policy are:

- a) Housing is a right;
- b) Housing should contribute to social equity;
- c) Housing is a critical component of development;
- d) Community control over and participation in the housing delivery process is of the utmost importance.

G2.1 The Right to Housing

G2.1.1 The ANC believes that all citizens of South Africa have a right to essential services such as water, sanitation, refuse removal and electricity and to decent housing, appropriate to family and individual needs. The democratic state will undertake appropriate legislative and executive action to ensure that these basic needs are met in a progressive manner. It is recognised that this objective will not be easy to fulfil in the short term but one towards which we should strive.

G2.2 Housing should contribute to social equity

G2.2.1 Given the pervasive poverty and the unequal distribution of wealth and land, the ANC's housing

policy will promote non-racism, non-sexism and cater for disadvantaged groups such as the very poor, old and disabled.

G2.2.2 All racially based housing institutions will be replaced by institutions which are non-racial, non-sexist legitimate and accountable to the people. A uniform housing policy must be introduced as a matter of urgency. Hostels should be transformed into family units. After wide consultation, appropriate single accommodation should be provided.

G2.2.3 Equity considerations will also be addressed through, for example, redistributive financial mechanisms and allocative systems. Examples of these forms of redistribution are, service charges and rating systems which favour the poor and not the rich, the diversion of military expenditure to housing production and the prioritization of investment in inner city housing and the upgrading of the townships informal settlements and rural areas over investments in middle income housing areas.

G2.2.4 To ensure that women's housing needs are addressed, their full participation in, and influence over the institutions controlling housing must be guaranteed needs to be expanded. Gender sensitivity must be a component part of the design and implementation of housing policy, the design of allocative systems and the criteria used to measure affordability.

G2.3 Housing and development

G2.3.1 The provision of housing will be placed within a total developmental framework. These should include economic, transport, health, amenity, recreational, religious, education, environmental and social welfare policies, or policies which facilitate access to jobs and the restructuring of the apartheid cities, towns and rural areas. As such, an integrated approach which links housing to transport networks, industry, schools, creches, community halls, play grounds and so forth will be adopted. In addition, our housing strategy is based on sustainability in the short-medium-to-long term.

G2.4 Community participation and control

G2.4.1 Community participation in and control over the housing delivery process is critical to the successful implementation of our housing strategies.

G2.4.2 The ANC believes that community groups should be able to participate in the design, implementation and management of their housing. We therefore advocate the introduction of a housing policy which encourages and

supports community controlled development initiatives. Furthermore the ANC believes that organs of civil society must play a major role in housing policy formation.

- 12.4.1 Communities will have the right to organise themselves around housing issues and strong community based organisations will be encouraged.

1. A NEW HOUSING POLICY FOR SOUTH AFRICA

1.1 The ANC believes that a single national housing policy administered through one national housing department, is needed to address the provision of housing and services. Within this single framework different, but complementary policies, may have to be formulated for urban and rural areas as well as the upgrading of the existing poor levels of housing and services.

1.2 Our housing policy is more than the delivery of a product. It is a process which contributes to the cultural, economic and social development of the entire society and is therefore part of our strategy to improve people's total living conditions.

POLICY ISSUES

1 Housing and Economic development

1.1 The ANC recognizes that housing (inclusive of land and ancillary services) is a significant part of our economic development strategy and that the resources devoted to the provision of housing will be consistent with the need to maintain macroeconomic balances.

1.2 Housing investment will be implemented in such a way as to promote labour based delivery in the context of acceptable labour practices, and improve the capacity of small-and-medium sized builders in the delivery of housing. The possibility of developing innovative technologies and methodologies which can be exported and hence contribute to our foreign exchange earnings will be developed.

1.3 The concentration of ownership in the building materials sector is a matter of great concern to the ANC. The ANC is committed to exploring the use of anti-trust and anti-monopoly legislation in this regard as well as introducing mechanisms which will cheapen building materials.

Housing Finance

1.1 As the state acting alone will not have sufficient resources to meet people's housing needs the ANC recognises the importance of mobilising private sector

resources and it will devise innovative strategies for doing so. The ANC is also committed to ensuring that the poor men and women in urban and rural areas have favourable access to credit facilities.

G4.2.2 The state should play a significant role in the provision of finance for low income housing. While market relations are an essential component of a mixed economy, the ANC does not believe that the market is able to adequately address the housing needs of all South Africans. The ANC therefore supports the provision of subsidies to facilitate access to basic and essential services and housing. We advocate the restructuring of the housing finance and subsidy system so as to target those in most need of assistance.

G4.3 Land and Tenure

G4.3.1 The ANC rejects the privatisation of land supply for low income housing and believes that it is the state's responsibility to ensure that low income households have easy access to well located, affordable land. The state or state organs will play an active role in land acquisition and in curbing land speculation. Some of the measures we will consider using to curb land speculation are the application of high municipal rates on well located undeveloped land, a capital gain tax on land transactions and the use of legal arrangements and tenure forms which take land (and housing) transactions out of the market and guard against downward raiding by more affluent groups. The allocation of land in urban and rural areas should not discriminate against people on the basis of race or gender, foster nepotism and/or corruption and should not involve lengthy time delays.

G4.3.2 The ANC believes that people should have security of tenure which does not necessarily mean individual ownership of both land and the dwelling unit. Provision will be made for different forms of tenure.

G4.4 Housing Form and Delivery

G4.4.1 The ANC believes that a uni-focused delivery system cannot adequately cater for people's diverse housing needs and should encourage housing delivery mechanisms which promote different forms of partnership between the state, private sector, non-governmental organisations and the community. The range of actors to be used should, by and large, be arrived at through consultation with the community concerned.

G4.4.2 The private sector will be encouraged to move into lower cost housing, revise its product mix and increase the level of community participation in its

projects.

- G4.4.3 More effective use will be made of the knowledge and housing expertise which will exist in restructured government agencies and other development institutions. Appropriate training initiatives for communities and small builders should be facilitated by the state.
- G4.4.4 In line with our view that housing delivery is a process and not simply a product the provision of completed dwelling units is seen as the ideal towards which we are striving. The form of housing provided should, in the final instance, be influenced by community preference, needs and affordability.
- G4.4.5 To overcome the economic problems and inequities created by low density urban sprawl more effective use will be made of land within urban areas. Housing densities will be increased in appropriate locations.
- G4.4.6 Environmental consideration will also inform the form and nature of housing provision in both rural and urban areas.
- G4.4.7 Finally, the ANC believes that low income housing should not be equated or confused with poor quality housing. Mechanisms which monitor profiteering, exploitation and malpractices in the provision of housing will be introduced.
- G4.4.8 The sale of state owned rental houses should be reviewed, and alternative forms of tenure and management should be investigated.
- G4.4.9 Employers should be encouraged to provide their workers with housing assistance, or decent housing appropriate to individual and family needs. A special investigation needs to be conducted into the appropriate and secure forms of housing for farm workers.
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H. HEALTH

H1. WHAT DO PEOPLE NEED TO BE HEALTHY?

- H1.1 For people to be healthy it is necessary that families earn enough money to be able to live decent lives, and work under safe conditions. People need decent housing, adequate and safe water, and sufficient nourishing food. There must be adequate and decent toilet facilities, and appropriate and effective waste disposal: this includes getting rid of rubbish and of

industrial and human waste in ways that will not damage the environment. Health is also improved where people have a reasonable standard of education, and opportunities for rest and recreation.

- H1.2 People also need a comprehensive health service that promotes good health, prevents illness, provides care and rehabilitative services to the ill and to people with disabilities.

H2. WHAT IS THE CURRENT STATE OF THE HEALTH SERVICES IN SA?

- H2.1 The health services in South Africa reflects all the injustice and irrationality of Apartheid. The health service is controlled by a great many departments - one in each of the bantustans and separate ones for general affairs and for each of the coloured, white and Indian "own affairs" houses. It is impossible to effectively plan and co-ordinate health care between these different ministries.
- H2.2 The government's policy of privatisation and reduction in spending on health has meant that insufficient resources are being channelled into public health services. As a result the quality of health and health care has deteriorated.
- H2.3 The health sector and in particular the private sector focuses its efforts on those who can pay, emphasises the treatment of disease, and so neglects the promotion of good health, the prevention of disease and the rehabilitation of the disabled. The focus on individual care also conceals the socio-economic causes of ill health. Health and lack of health are rooted in the economic and social fabric of any society. Socio-economic circumstances are more important than medical services in ensuring good health.

H3. PRINCIPLES OF ANC HEALTH POLICY

- H3.1 The provision of equitable health care should be guided by the aspirations of our people as enshrined in the Freedom Charter and by principles which reflect the Primary Health Care Approach adopted by the World Health Organisation and the United Nations Children's Fund at Alma Ata in 1978. The primary health care approach is essentially that of community development. It aims to reduce inequalities in access to health services, promotes equitable distribution based on appropriate technology and integrates the many sectors of modern life such as education and housing. Further, it is based on full community participation.
- H3.2 Access to health care is a basic human right. This right will be incorporated in the Constitution and

the Bill of Rights and will be enforced by law.

11.3 A National Health Service (NHS)

- 11.3.1 The ANC proposes the creation of a comprehensive, equitable and integrated National Health Service.
- 11.3.2 There will be a single governmental structure dealing with health for the whole country. It will coordinate all aspects of both public and private health care delivery. It will be accountable to the people of South Africa through democratic structures.
- 11.3.3 All existing government departments of health including homeland, military and prison services, will be integrated into the NHS, and all racial, ethnic, tribal and gender discrimination will be eradicated from the service. In line with the ANC commitment to a mixed economy, the provision of health care by the private sector will continue to be acknowledged and regulated.
- 11.3.4 The NHS will actively promote community participation in the planning, provision, control and monitoring of services. Fundamental to this approach will be accountability to local communities and decentralization of decision making.
- 11.3.5 The responsibility for health care will be coordinated between national, regional and district authorities. These will, as far as possible coincide with regional and local government boundaries. Authority over, responsibility for, and control over funds will be as decentralised as is compatible with rational planning and the maintenance of good quality care. Clinics and health centres will be the points of first referral for medical ailments.
- 11.3.6 Rural health services will be given priority and made accessible with particular attention given to improving transport.
- 11.3.7 The health service will give priority to children, mothers, the elderly, the mentally ill, workers, the unemployed and the disabled. Appropriate services to adolescents and to young adults will also be provided. In addition there will be a focus on the eradication and control of major diseases, especially AIDS, tuberculosis, measles and others. Attention will also be given to sex education, family planning, oral health, substance abuse, environmental and occupational health.
- 11.3.8 Within the National health services, health workers must respect the right of their patients to be treated as equals in all respects. A Bill of Patient Rights

will be introduced. Furthermore individuals, interest groups and whole communities will be able to participate in the process of formulating and implementing health policy.

- H3.3.9 Appropriate and efficient data collection will be an essential part of the NHS. It will allow for rational management and planning and also relevant research to address the most important problems facing the community. The private sector will also be required to collect and submit both financial and clinical data in order to facilitate planning at local, regional and national levels.
- H3.3.10 The health service will be planned and regulated to ensure that resources are used in the best way possible to make essential health care available to all South Africans, giving priority to the most vulnerable groups.
- H3.3.11 Health workers at all levels will promote general health and encourage healthy lifestyles.
- H3.3.12 The NHS will seek to establish appropriate mechanisms that will lead to the integration of traditional and other complimentary healers into the NHS.
- H3.4 *Inter-Sectoral Cooperation*
- H3.4.1 At all levels of government the health service should promote inter-sectoral co-operation to promote the health of communities. The health service will play a role in coordinating government authorities responsible for sanitation, water supply, fuel supply, food and agriculture, housing, and other social services. To the extent that a threat to public health is identified, the health service will ensure that the necessary steps are taken to remove such a threat.
- H3.5 *Financing Health Care*
- H3.5.1 The democratic government will mobilise sufficient funds to ensure free and equal access to essential health care for all South Africans. No-one will be excluded from any public health facility because they cannot afford such services. Only when this is achieved, will it be possible to reduce the gap in access to health care between rich and poor; black and white; and urban and rural communities.
- H3.5.2 Since, however, government resources are limited, those who can afford to, and will contribute to the cost of health care, either through general taxation, or by contributing to a national health or social insurance fund, or both. The cost of medical care will be kept down by careful accounting and the rational

- use of resources. Methods of providing additional funds for public health services will be explored.
- H3.5.3 Essential health care available at public health facilities will be free at the point of service. Provision of this essential health care is in line with the commitment in the Bill of Rights to "an expanding minimum floor of entitlements for all". This level will rise with time.
- H3.6 *The Private Sector*
- H3.6.1 In the longer term, most health care should be provided by the public health service. The public service will be strengthened and made accountable to the communities it serves. It will therefore be necessary to create incentives to induce many of those health workers, who have chosen private practices, to return to the public sector. At the same time, we envisage active cooperation between the two sectors with the common goal of improving the health of the nation.
- H3.6.2 Public subsidies to the private sector such as tax concessions for medical aid contributions will be removed.
- H3.6.3 Both public and private sector health care will be carefully monitored through mechanisms such as peer review and audit review, and in the private sector tighter regulations will be applied on the licensing of facilities and on share holdings in private clinics and hospitals.
- H3.7 *A National Pharmaceutical Policy*
- H3.7.1 At present there are many parts of the health service where there is not enough medicine in store. In the private sector too much money is spent on medicine. The ANC will implement a national drug policy to deal with these problems. This policy will include sections on essential drug lists and encouraging the development of the local drug industry. The national drug policy will also ensure strict standards of quality, safety and use of drugs both in routine and in research situations. Safety and efficacy will take priority over the profits of individual drug manufacturers.
- H3.8 *Personnel and Training*
- H3.8.1 The term health worker includes all those working in the health sector whether engaged in clinical or in non-clinical duties. All of them will have the right to join trade unions of their choice.

- H3.8.2 The statutory bodies governing the registration of health workers and the maintenance of standards will be restructured to protect the interests of all South Africans.
- H3.8.3 Training of all health workers should be appropriate and community oriented. Training programs will be implemented to continually upgrade the skills of existing health workers. This training will include the reorientation of health workers with regard to the rights of patients and respect for their privacy and dignity at all times.
- H3.8.4 In the light of this present health worker training institutions, particularly medical schools, will have to be transformed. Training of new categories of health workers will be investigated.
- H3.8.5 Recognizing the substantial subsidies from the state to all tertiary education, health workers should, on completion of their training, be required to work where needed in the public sector for a specific period before entering the private sector.
- H3.8.6 There are racial and gender inequalities in the training of health workers. In particular, Africans and women have historically formed a small minority of the total number of trained doctors, or persons in middle or senior management. Affirmative action needs to be undertaken to correct this imbalance.
- H3.9 *Women's Health*
- H3.9.1 The NHS will provide sensitive and supportive care to victims of sexual violence and other forms of abuse against women. Special counselling and support for victims of rape and incest will be provided.
- H3.9.2 Women will have the right to control their own bodies. Contraceptive services will be based on informed choice, will be free and accessible, and will protect fertility. They will also be gender sensitive and will engage both men and women.
- H3.9.3 Very high priority will be given to the early prevention, detection and treatment of cervical and breast cancer.
- H3.9.4 Women and female children will be provided with information to enable them to make free and informed choices about all matters relating to their fertility.
- H3.10 *AIDS*
- H3.10.1 The spread of HIV infection will lead to severe loss of human life, especially of the economically active.

The stigma which is associated with HIV infection and the absence of a vaccine or curative measures place the responsibilities of curbing the spread of HIV beyond the health sector alone. The ANC is committed to making HIV a priority of all sections of society and especially of the highest decision making body in the land.

SOCIAL WELFARE

1 PREAMBLE

- 1.1 The ANC, in keeping with its general commitment to an egalitarian society, rejects the dictum that the poor will always be with us. It believes that poverty is created by society and it can therefore be eliminated by society.
- 1.2 Therefore, the department believes that people are the fundamental resource of the country, since they have the capacity to develop personally and are central to the development of the economy and the nation as a whole.

2 WHAT IS SOCIAL WELFARE AND DEVELOPMENT?

- 2.1 Social Welfare includes the basic rights to shelter, food, health, employment, education and all those aspects that promote the physical, social and emotional well-being of all in our society. In addition, provision will be made through a social safety net for those who are unable to care for themselves because of certain problems (i.e. the disabled, women, children, youth, families in need of care, the aged and those in chronic emotional distress). The task of rehabilitating and integrating juvenile and adult offenders will also be addressed.
- 2.2 The ANC's social welfare policy will accordingly pursue welfare in the context of social reconstruction, development and affirmative action.

3 POLICY GOALS

- 3.1 The attainment of basic social welfare rights for all South Africans, irrespective of race, colour, religion and gender through the establishment of a democratically determined, equitable, just and effective social delivery system.
- 3.2 The redressing of past imbalances through a deliberate process of affirmative action in respect of those who have been historically disadvantaged, especially women, youth and rural communities.
- 3.3 The empowerment of individuals, families and communities to

participate in the process of deciding on the range of needs and issues to be addressed through local, regional and national initiatives.

- 13.4 The recognition of the role of organs of civil society in the welfare system, such as non-governmental organisations, civic associations, the private sector, religious organisations, traditional and other complimentary healers, trade unions and individual initiatives through the establishment of guidelines for mutual cooperation.
- 13.5 The encouragement of economic growth and the development of economic policies that ensure equitable redistribution through social services that are not only seen as forms of consumption, but also as a means of social investment.

14 BROAD PRINCIPLES

- 14.1 This policy is based on the belief in the human dignity of all in South Africa.
- 14.2 We acknowledge that the State has a major role in meeting the legitimate and realistic expectations of all, especially the poor, disadvantaged and other vulnerable persons.
- 14.3 We do not encourage the hand-out approach to social welfare provision because it does not address the root causes of social problems.
- 14.4 We believe in the importance of the family as it is understood within the social and cultural norms in South Africa within the context of a normal functioning society. Special attention will therefore be given to promoting the reconstruction of family life.

15 VALUES AND GUIDELINES

15.1 Equity

- 15.1.1 People have the right to fair treatment based on their contributions to society, except where the ability of individuals to contribute to society through work or other ways is beyond their control.

15.2 Accessibility

- 15.2.1 Services must be accessible not only in terms of physical proximity but also in terms of language and the elimination of bureaucratic red tape.

15.3 Democracy

- 15.3.1 The interests and needs of all should be represented, planned for and implemented through a democratic process.

15.4 Community participation

15.4.1 People affected by social problems or need must have access to and be part of decision making structures which attempt to resolve these problems.

15.5 Accountability

15.5.1 Officials and civil servants will constantly refer to the users of services for feedback and recommendations. The office of an Ombud will have to look into the violation of pre-determined codes.

15.6 Equality

15.6.1 Benefits will be allocated in a way which will equalise the distribution of resources and opportunities in our society.

15.7 Social Services as a Right.

15.7.1 All those who require services should feel free to apply for such services without fear of being treated as second class citizens.

15.8 Decentralisation

15.8.1 Services shall be planned and developed at as local a level as possible to allow for participation and access.

16 TYPES OF SOCIAL PROVISION.

16.1 Meeting Basic Needs

16.1.1 An inter-sectoral approach will be pursued to ensure that basic needs, according to acceptable minimum standards are met, especially with regard to work, housing, health care and education.

16.2 Direct Social Services

16.2.1 A comprehensive range of services addressing child and family welfare, alcohol and substance abuse, mental and physical health and rehabilitation of juvenile and adult offenders will be ensured. Counselling and other support programmes will be promoted through policy and programme measures, particularly for the following:

16.2.1.1 Victims of Political and criminal Violence;

16.2.1.2 Youth who have been destabilized as a result of political repression and the breakdown of the education system;

16.2.1.3 Rural Communities that are underdeveloped and disempowered;

16.2.1.4 Women who have suffered the effects of domestic violence, rape and other aspects which undermine their full development as contributing members of society;

16.2.1.5 Returnees, ex-political prisoners, ex-combatants and veterans who have played a critical role in fighting apartheid, as well as dependants of the above and of those who have died or been injured in the cause of the struggle;

16.2.1.6 The disabled whose rights to full participation in society through appropriate legislative measures will be ensured;

16.2.1.7 Children who have suffered as a result of apartheid;

16.2.1.8 The Aged who are in need of community care and other facilities.

16.2.1.9 In addition, services of a social development nature aimed at empowering communities will be actively encouraged.

16.3 Social Security Provision

16.3.1 The ANC commits itself to a National Social Security System within the limits of its resources. The two major forms of social security will include:

16.3.1.1 Social Insurance financed through contributions of potential beneficiaries and subsidised by employers. This aspect falls within the ambit of Human Resource Development but should be reviewed in consultation with Social Welfare;

16.3.1.2 Social Assistance for those who cannot provide for themselves because of circumstances beyond their control, e.g. the aged, disabled, families in need and other maintenance grants shall fall within the ambit of Social Welfare;

16.3.1.3 All social pensions, including those for the aged, will be equalized and the dignity, safety and convenience of recipients will be observed at all times;

16.3.1.4 Provision will be made for those who have fought for national liberation in the same manner that South African society has traditionally catered for those who have served in its armed forces;

16.3.1.5 The existing social assistance legislation will have to be reviewed in accordance with acceptable agreed

criteria.

17 THE STRUCTURE OF THE DELIVERY SYSTEM

- 17.1 There will be a single department of Social Welfare and Development with key functional departments.
- 17.2 Inter-sectoral government structures will be developed in consultation with key departments to promote a coordinated national development plan.
- 17.3 Regional and local social development structures will be negotiated with regional and local government departments.
- 17.4 Existing state subsidized voluntary welfare organisations shall be restructured to meet the principles in these policies.
- 17.5 There will be a comprehensive review of all existing legislation on social welfare services to ensure that such legislation is in line with the goals and principles in this policy. Voluntary welfare organisations that are subsidised by the state will have to go through a rigorous process of restructuring to comply with affirmative action principles with regard to staffing, decision-making structures and services.

18 EDUCATION AND TRAINING OF SOCIAL SERVICE PERSONNEL

- 18.1 Emphasis will be placed on appropriate training to address the immediate development needs at community level. The education and training of social service personnel shall be geared to developing a pool of skilled personnel that can be deployed within communities within a short period of time. Curricula at institutions will be developed within the context of the experiences and social economic and political realities of southern Africa while retaining essential theoretical frameworks and techniques. Personnel shall be selected and trained with regard to affirmative action.

9 FINANCING THE SOCIAL SERVICES

- 9.1 Social welfare expenditure will be channelled through the national budget of the central government. Allocations for the financing of the social services at regional and local levels will be determined according to need, the existing inequalities in service provision and the priorities determined by structures on social development. In instances where regional authorities are unable to meet projected social welfare goals or targets the cause of inefficient social delivery systems further funds to the regions will be dependant on measures taken to address the situation.
- 9.2 Private sector sponsorship of community welfare programmes

shall be encouraged. In this regard community based initiatives shall be developed within an agreed phased coordinated programme targeting priority needs.

110 EVALUATION OF SOCIAL WELFARE POLICY

- 110.1 There shall be a continuous process of monitoring and evaluating the policy goals and the methods used to attain them.

JA. EDUCATION, HUMAN RESOURCE DEVELOPMENT AND SCIENCE AND TECHNOLOGY

JAI OUR OBJECTIVES

- JAI.1 The challenges that all countries face in realising their full potential for development, growth and democracy have been compounded in South Africa by the ravages of apartheid. Our policies for the development and conservation of our national resources - human, natural and scientific - will both address the consequences of the past and lay the basis for a different future.
- JAI.2 The goals we have set cannot be achieved unless all people are empowered, through education and training, for active involvement as citizens in the democratic process and as workers in the economy.
- JAI.3 We believe that education and training is a basic human right and that all individuals should have access to lifelong education and training, irrespective of race, class, gender, creed, age, sexual orientation and physical or mental disability. Furthermore, we believe that the right to education and training should be enshrined in a Bill of Rights which should establish principles and mechanisms to ensure that there is an enforceable and expanding minimum floor of entitlements for all.
- JAI.4 The ANC's science and technology policy will serve democracy, will not be made in secret, but with openness and maximum participation. A key objective of this policy will be to improve understanding of and democratic access to science and technology for all.
- JAI.5 Our natural resources must be utilised to meet the ever-growing needs of our people, taking special care not to degrade but to preserve and improve the environment for the benefit of all citizens at all times.

JA2. INTEGRATED POLICIES AND DEMOCRATIC PARTICIPATION

- JA2.1 The ANC is committed to the evolution of a coherent and nationally integrated strategy for the development of our country's human resources. Education and training policies will be integrated within the framework for economic transformation and with the strategy for the conservation of our natural resources, and with the objective of using the benefits of science and technology to the full.
- JA2.2 The ANC believes that the state has the central responsibility for the provision of education and training. Only the state is in a position to ensure that the present inequalities are redressed. More generally, given the importance of education for social and economic development, its provision cannot be left to the market as has been the case in the past, especially in relation to industrial training.
- JA2.3 However, organs of civil society have an important role to play in the provision of education and training. Where non-governmental agencies provide education and training, the state will ensure that this is undertaken within the framework of national education policies and principles.
- JA2.4 It is essential that problems be looked at in an inclusive way, with a broad national vision, employing the talents and know-how of all with experience in the field. It is also important that we plan development on a step-by-step basis, concentrating our resources on realisable targets at each stage.
- JA2.5 The ANC believes in democratic participation, not only in the development of policy in education, human resources and science and technology, but in the administration and management of institutions in these fields. We are committed to the establishment of relevant structures for such participation.

J. EDUCATION

J1. PROVISION

J1.1 Early Childhood Educare

- J1.1.1 We believe that the state must develop a framework and infrastructure to address the needs of early childhood educare.
- J1.1.2 The provision and financing of early childhood educare will be undertaken by the state in conjunction with

employers and the community.

J1.2 School and Further Education

- J1.2.1 We are committed to the provision of a minimum of ten years of free and compulsory education which shall include, where possible, one year of pre-school education. This commitment is based on our belief that ten years of quality education is the minimum necessary to prepare individuals to participate in the economy and society.
- J1.2.2 We are also committed to redressing the inequalities relating to subsequent years of schooling and further education. This will be done through creating institutional and financial mechanisms that ensure:
- J1.2.2.1 Maximum flexibility and mobility between different levels of the education and training system - both formal and non-formal.
- J1.2.2.2 That students who wish to proceed beyond ten years of schooling and who do not have the means to do so will have access to financial assistance in the form of bursaries, student loans, etc.
- J1.2.3 Appropriate provision will be made for individuals with disabilities and special learning needs.
- J1.2.4 The provision of free and compulsory education will be based on equalising the per capita expenditure between black and white education. This will be done within a framework which ensures that resources are redistributed to the most disadvantaged sectors of our society, in particular, women, rural and adult students, and mentally or physically disabled children and adults.
- J1.2.5 We are committed not only to increasing the quantity (i.e. number of years) of education that individuals have access to, but also improving the quality of the education that they receive. This will require, amongst others, the adequate provision of basic resources such as equipment and textbooks, improving teacher training and development, improving teacher-pupil ratios, etc.

J1.3 Marginalised Youth

- J1.3.1 We are committed to creating institutional mechanisms to provide education to a level equivalent to a school-leaving certificate to meet the specific needs of the large numbers of youth who have been expelled or dropped out of the school system as a direct consequence of apartheid practices. Such mechanisms will be designed to ensure the reintegration of these

youth back into the formal education system.

J1.4 Adult Education

- J1.4.1 We are committed to the development and provision of adult education (including general education, literacy and numeracy) to a level equivalent to a school-leaving certificate. Special programmes involving the community as a whole will have to be developed to address the problem of illiteracy, especially in the rural areas.
- J1.4.2 Employers will have the prime responsibility for providing adult basic education for those in their employ and the state will have responsibility for ensuring the delivery of adult basic education to the unemployed.
- J1.4.3 There will be a national system of standards and certificates for adult basic education and adult education in general to enable individuals to participate in, and move between, the formal and non-formal education and training system.

J2. CONTROL

- J2.1 The administration and management of education and the development of educational policy will be governed by the principle of democracy, within a unified national education and training system. The active participation of organs of civil society in both formal and non-formal education should include teachers, students, parents and workers. Gender balances at all levels will also be redressed.
- J2.2 The democratisation of the education and training system can best be achieved by creating a balance between the role of the central state and that of regional and local authorities. While the central state should be responsible for the development of national policies and principles, financing education, the development of a national curriculum, and the development and maintenance of national standards, regional and local authorities should be responsible for the day-to-day administration and management of the education and training system.

J3. A CORE CURRICULUM AND NATIONAL STANDARDS

- J3.1 The ANC believes that there should be a national core curriculum which reflects the norms and values of a non-racial, non-sexist and democratic society and which is relevant to both the needs of the individual, as well as the social and economic needs of society. We are committed to a curriculum which is based on the principles of co-operation, critical thinking and social responsibility, and which empowers individuals to participate in all aspects of society. We believe that this can best be achieved by a

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national curriculum which provides a general education based on integrating academic and vocational skills.

- J3.2 We believe that a general education firstly, better prepares individuals to adapt to the needs of a changing and dynamic economy; and secondly, by not differentiating between different types of education, it ensures equality of opportunity for all.
- J3.3 We believe that a national core curriculum should encourage the development of a national democratic culture which accommodates cultural and regional diversity as long as this does not conflict with national goals.
- J3.4 The national core curriculum will promote non-sexist values and attitudes and remove all gender stereotyping from the curriculum. The structure of the curriculum will also ensure gender is not a criterion for access to any subject. Furthermore, special help should be available to female students to improve and extend their skills in areas from which they have been previously excluded.
- J3.5 Furthermore, we believe that a national core curriculum should be complemented by a national accreditation and certification system for both formal and non-formal education and training. This would ensure that there is maximum flexibility for horizontal and vertical mobility between different levels of the education and training system, both formal and informal.

J4. LANGUAGE POLICY FOR EDUCATION

- J4.1 We recognise the multilingual nature of South Africa and believe that all individuals must have access through their mother tongue and a language of wider communication to all avenues of social, political, economic and educational life.
- J4.2 We are committed to providing access to a minimum of two languages - a regional lingua franca and English. In cases where, firstly, there is more than one regional lingua franca access will be provided to each except where not possible because of practical constraints; and secondly, where the home language of the student differs from the regional lingua franca, access to the mother tongue will be provided except where impractical.

K. THE DEVELOPMENT OF HUMAN RESOURCES

K1. BASIC PRINCIPLES

- K1.1 The ANC's goal for Human Resources Development is full

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employment with a rising standard of living and quality of social and working life for all South Africans, regardless of race, sex, class, religion, creed, sexual orientation and physical or mental disability.

K1.2 To ensure democratic participation, the ANC is committed to the establishment of structures in which the executive arm of the state, employers, trade unions and other organs of civil society are represented, and which will have a determining role in the setting of policies and practices for employment, training and skills development, subordinate to the supreme will of parliament.

K1.3 The ANC is committed to the establishment of a nationally integrated system of education and training. All sector specific training, including for the public sector, welfare and sports, will take place within the national framework to ensure that skills acquired are nationally recognised, portable and contribute to career-pathing.

K2 HUMAN RESOURCES DEVELOPMENT STRATEGY

K2.1 Provision of education and training will be linked to the development of human resources within a national development strategy aimed at the restructuring of the economy, redistribution and the democratization of society.

K2.2 Such a strategy will ensure that all development programmes are pursued in a systematic, coordinated and comprehensive manner to ensure that:

K2.2.1 Development programmes are sensitive to specific needs of each community, particularly with regard to the needs of women, youth, rural people and the disabled;

K2.2.2 Allocation of resources in development programmes must redress deprivations and imbalances between and within different communities;

K2.2.3 The provision of education and training within development programmes should have recognition within the national education and training system.

K3. ECONOMIC GROWTH AND PRODUCTIVITY

K3.1 The human resources of South Africa are our greatest asset and source of national wealth. The ANC believes that without massive and consistent investment in our human resources we will not achieve the economic development and growth that we need to ensure a productive economy.

K3.2 The ANC is committed to the establishment of a National Training Fund to promote investment into human resources development. The fund will include a levy on employers. An additional levy will be paid by employers when retrenching

workers - such levies to contribute to the retraining of retrenched and unemployed workers.

K3.3 There will have to be a vigorous skills upgrading programme, especially for the most disadvantaged sectors of our society, in particular women, youth and rural people. This upgrading will be fundamentally integrated with the restructuring of the economy and employment creation programmes.

K3.4 The ANC is committed to the creation and development of productive employment opportunities with a living wage for all South Africans.

K3.5 The ANC's Human Resources policy has the objective of active labour market policies aimed at developing and directing human resources to areas of social and economic need, including rural development. This includes putting in place mechanisms which identify areas of decreasing labour needs. It will include the creation of opportunities as well as identifying existing opportunities where more people can gain useful and meaningful employment. These will ensure that workers whose employment is threatened by the introduction of new technology, new forms of work organisation or the decline of certain sectors of the economy are actively assisted and encouraged to develop the knowledge and skills needed to move to new areas. Communities will be encouraged to play an active role in identifying and implementing such new areas, for example, basic infrastructure.

K3.6 Active labour market policies will aim at achieving full employment and will include strategies to ensure; firstly, the development of an integrated education and training system which allows people to develop to their full potential and possess employment mobility across companies and industries; and secondly, the development of a comprehensive social security system with adequate provision for unemployment and workers' compensation.

K3.7 Research and development programmes will be established to support and promote these objectives, with the emphasis on rural development.

K3.8 The state must ensure a proper population census is made and proper statistics are kept in consultation with the Labour Market Commission.

K4 LABOUR AND EMPLOYMENT

K4.1 We propose the establishment of a National Labour Commission, which will be composed of representatives from government, trade unions, employer organisations and other relevant organs of civil society. It would act as a central coordinating body in relation to all labour matters and would make recommendations, including draft legislation, to

parliament.

K4.2 The commission would deal with all matters relating to labour rights and employment practices. The commission will be empowered to devolve its powers and functions to subordinate bodies whose composition will be specific to their functions.

K4.3 For the short- to medium-term, the ANC is committed to the active implementation of affirmative action strategies as part of a code of employment practice, to redress historically disadvantaged groups and regions.

K4.4 The ANC will pursue a vigorous affirmative action and restructuring programme for the public service to reflect the national composition of our population in order to meet the needs of all South Africans.

K4.5 Employment policy

K4.5.1 In implementing the development of productive employment opportunities with a living wage for all South Africans, the ANC is committed to fair and equitable recruitment and selection policies, without forced labour, press ganging, or the apartheid migratory labour system and including the abolition of child labour and non-rehabilitatory prison labour.

K4.5.2 In ensuring the realisation of fair and equitable employment opportunities, legislation will be adopted which will outlaw all forms of discrimination in the workplace.

K4.6 Health and Safety

K4.6.1 The ANC is committed to the establishment of health and safety standards that shall be enforceable, to preserve both the working and the natural environment, and will guarantee the protection, health and safety of workers in all sectors of the economy.

K4.6.2 Legislation will be enacted to provide adequate compensation to those whose health has been damaged through inadequate health and safety practices.

K4.7 Labour Relations Policy

K4.7.1 The ANC's Labour Relations Policy is aimed at fostering industrial peace and the settlement of disputes through:

K4.7.1.1 Recognising the rights of free association of workers and their rights to representation in all structures where their interests are affected, especially the extension of these rights to farm and domestic workers;

K4.7.1.2 Recognition of the right to strike for workers in all sectors;

K4.7.1.3 Maintain the system of collective bargaining and underpin collective agreements as legally binding on the different parties;

K4.7.1.4 Recognition of the right to paid maternity and paternity leave with employment security;

K4.7.1.5 The formulation and implementation of a Labour Relations Act which will protect the interests of all workers, including farm, domestic and public service workers;

K4.7.1.6 The transformation of the Industrial Court system to enforce the provisions of the Labour Relations legislation.

K4.7.1.7 The ratification of ILO conventions and the consequent respect of employer and employee rights and employment codes, as recognised by these conventions.

K5. RIGHTS OF WOMEN WORKERS

K5.1 Our policy proposals with regard to the training, education and employment of women will address the special problems of women workers, including:

K5.1.1 The recognition of women's skills through equitable remuneration based on the principle of "equal pay for work of equal value";

K5.1.2 The training of women for skilled jobs normally performed by men;

K5.1.3 Career paths for areas of "traditional" women's work;

K5.1.4 The provision of child-care facilities for in training, at meetings and at work;

K5.1.5 The provision of equal facilities for men and women in training and at work.

K5.1.6 The development of non-sexist training materials and documentation.

K6. A CODE OF PRACTICE

K6.1 A code of practice in relation to training, education and adult education, as determined by the state, together with employers, trade unions and other organs of civil society, will promote the achievement of our policy objectives. It should encompass at least the following:

K6.1.1 The integration of training, education and adult

education into a national system of qualifications and accreditation which allow people to transfer credits between the different systems, and which is recognised and accredited by employers and also allows people full employment mobility;

- K6.1.2 On-going employment advice, career guidance and counselling from basic schooling through to retirement;
- K6.1.3 The training of trainers and educators in an integrated national strategy to meet the needs of all sectors of the society;
- K6.1.4 Community members sent on training programmes in consultation with their communities need to be effectively used and deployed where they are needed on completion of training. They will feed back into the community the skills that they have gained. A data base of those who have been on such training programmes will be established and follow-up tracer studies used to enable the implementation of this.
- K6.1.5 The prioritisation of an appropriate technology policy and the training of technical specialists to ensure that our economy meets the needs of all South Africans within the context of the world economy;
- K6.1.6 The adoption of a national policy on the importation of skills and technological know-how which will aim to lessen our dependence on these imports and increase our capacity to be self-reliant. We will actively seek the support of our international allies to achieve this goal;
- K6.1.7 To prioritise strategies for employment creation programmes and employment security. Within these programmes, to prioritise policies for training of youth and women. Such programmes and training will include safety and protection rights.

K7. TRAINING AND SKILLS DEVELOPMENT

- K7.1 Training will be linked to economic policy and form an integral part of the restructuring of the economy. It will be developed within the following framework.
- K7.1.1 The state together with trade unions, employers and other organs of civil society will play a central role in planning, implementing and monitoring training, with agreed procedures for selection and testing, which accord with national standards.
- K7.1.2 The effects of apartheid discriminatory policies will be redressed.

- K7.1.3 All workers will have the right to paid education and training leave. Retrained and unemployed workers have the right to re-training to help them secure employment or contribute, with assistance, to creating employment.
- K7.1.4 Access to education and training will be made available throughout a person's life to enable him/her to keep pace with technological changes and continually develop his or her abilities in order to achieve secure employment and a rising standard of living.
- K7.1.5 Training must be linked to an independent and agreed grading system, pay and the person's potential. Workers must be able to advance along a career path through training. These will be determined at national level and will apply to urban and rural people, and to both formal and development linked employment.
- K7.1.6 Provision will be made for the recognition of skills which people already have. Such recognition will be linked to and integrated with the national accreditation system.

L. SCIENCE AND TECHNOLOGY

L.1. BASIC PRINCIPLES

- L.1.1 The use of technology can enhance human potential and improve the quality of life for all citizens of South Africa, thereby helping to achieve the broader socio-economic and political goals of a democratic South Africa. However, technology can also be misused, as has been the case with the apartheid regime, under which the benefits of technology have been directed to the white minority at the expense of the majority. The ANC is committed to redressing this imbalance, using science and technology for all.
- L.1.2 Advances in science and technology cannot be achieved unless grounded in sound education and research policies, which have as their aim the maximum utilisation of the full potential of all human resources in our country and which allow for creativity in scientific and technological research and design.
- L.1.3 A sound science and technology policy is based on the recognition that technology and technical knowledge are inputs into national economic development, on the same level as capital and labour. If these inputs are to be productive then the provision of appropriate technology must be supported by a skilled workforce which can operate

that technology effectively and develop it further.

L1.4 The ANC supports affirmative action to encourage all people, and particularly women and rural communities, to acquire and develop technological and science skills.

L2. AN INDIGENOUS TECHNOLOGICAL BASE

L2.1 To achieve these ends South Africa requires a healthy indigenous and appropriate technological base, which is founded upon:

L2.1.1 The widest possible access to programmes of education and training in scientific and technical fields at all levels;

L2.1.2 Relevant, publicly accountable and efficient research and development;

L2.1.3 The selective application of new technologies, especially in the areas of micro-electronics, information technology, biotechnology, new materials and medical technologies;

L2.1.4 Industrial re-orientation and restructuring, to strengthen the manufacturing base;

L2.1.5 The integration of trade unions and other relevant organs of civil society into the decision-making process.

L2.2 To achieve these ends there is a need for the right macro-science and technology policy, covering education, training and research and the application and development of technology in all economic and social spheres.

L3. EDUCATION AND TRAINING

L3.1 A broad and multi-faceted programme of education and training will be promoted to foster the development of our indigenous technological base. Its aims will be:

L3.1.1 To foster a climate for the growth and development of a scientifically literate and technically able society;

L3.1.2 To provide high-quality, appropriate and flexible programmes in science, mathematics and technology within general education at all levels;

L3.1.3 To provide ongoing accredited adult science and technology education programmes, including worker training and education, especially as regards the retraining of workers whose jobs were replaced by machines;

L3.1.4 To implement affirmative action programmes to increase the numbers of scientists and engineers from amongst all our people;

L3.1.5 To include an environmental perspective in science and technology training and education;

L3.1.6 To include a perspective in the development and application of science and technology which is sensitive to gender specific needs, the disabled and elderly people.

L4. TECHNOLOGY AND ECONOMIC DEVELOPMENT

L4.1 Ensuring that scientific and technological knowledge are both developed and effectively applied in ways which help achieve our economic, social and developmental goals, will require concerted action along a number of paths, with these objectives:

L4.1.1 To assess technology priorities in sectoral needs and to advise on policy development in those sectors;

L4.1.2 To support innovation and the growth of indigenous technologies, especially by encouraging increased spending on research and development by the private sector;

L4.1.3 To foster co-operation in science and technology between industry, education and research institutions, and state organisations;

L4.1.4 To retain a basis of fundamental research which is internationally recognised and relevant to the long term needs of the country;

L4.1.5 To identify opportunities for local expertise and locally manufactured goods in overseas markets;

L4.1.6 To foster regional co-operation in science and technology.

L5. A KEY ROLE FOR GOVERNMENT

L5.1 Policy objectives compete for state funds. Science and technology policy requires the use of resources to be efficient, equitable and publicly accountable.

L5.2 The ANC will review and restructure the science and technology system in consultation with the relevant organisations. The ANC will accord government a key role in technology development by establishing appropriate and powerful democratic structures to formulate policy with maximum participation. The ANC will consider establishing an independent Office of Technology Assessment.